

nothing in this Act shall be construed to impose a tax upon traveling shows giving exhibitions for private profit in regular established theaters subject to an occupation tax under this Act.

Add Section 3 to read as follows:

Sec. 3. This Act shall not be construed to mean that a regular established theater showing pictures, vaudeville or theatrical presentations, or either of same, shall pay more than one occupation tax.

Make House engrossed rider to read Section 4.

Change emergency clause to read Section 5.

(Majority Report.)

Committee Room,
Austin, Texas, June 1, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, a majority of your Committee on State Affairs, to whom was referred

H. B. No. 35, A bill to be entitled "An Act amending the Act passed by the Thirty-eighth Legislature at its Regular Session, approved January 31, 1923, the same being House Bill No. 17, entitled 'An Act requiring the Board of Water Engineers and the State reclamation engineer, in conformity to the Statutes determining their powers and duties, to make, cause to be made, and report to the Governor an adequate topographical and hydrographic survey of the stream watersheds of the State, to the end that flood control, water conservation and economic utilization in reclamation development may be made practicable, advancing all such work as found feasible to the public welfare; directing the order in which said surveys and reports shall be made; providing for an appropriation to carry out the provisions of this Act, and declaring an emergency,' amending said bill so as to reduce the appropriation therein made; and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal.

WITT, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, June 1, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, a minority of your Committee on State Affairs, to whom was referred H. B. No. 35, regarding the reduction of appropriations for flood reclamation work, have had same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

HOLBROOK.

ELEVENTH DAY.
(Continued.)

Senate Chamber,
Austin, Texas,
Saturday, June 2, 1923.
The Senate met at 10 o'clock a. m. and was called to order by Lieutenant Governor T. W. Davidson.

S. B. No. 12 and H. B. No. 35 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 12.

Under the Senate rules, the Chair laid before the Senate on its second reading,

H. B. No. 35, A bill to be entitled "An Act to amend House Bill No. 17, passed at the Regular Session of the Thirty-eighth Legislature of Texas, and approved by the Governor January 13, 1923, the Act amended being an act requiring the Board of Water Engineers and the State Reclamation Engineer in conformity to the statute determining their powers and duties to make and cause to be made, and report to the Governor, an adequate topographic and hydrographic survey of the stream water sheds of the State, to the end that flood control, water conservation and economic utilization in reclamation development may be made practicable; advancing all such work as found feasible in accordance with the relative importance to the public welfare; di-

recting the order in which said survey and reports shall be made; providing for an appropriation to carry out the provisions of this Act, declaring an emergency," being a bill on the same subject.

The bill was read second time.

Senator Holbrook moved to adopt the minority adverse report.

Senator Baugh raised the point of order that the bill had not been on the members' desks twenty-four hours.

The Chair overruled the point of order, holding that a Senate bill on the same subject had been printed for several days.

Adjournment.

On motion of Senator Holbrook, the Senate at 10:35 a. m. adjourned until 10 o'clock a. m. next Monday.

APPENDIX.

Committee Reports.

Senate Chamber,
Austin, Texas, June 2, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 10 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,
Austin, Texas, June 2, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 9 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

TWELFTH DAY.

Senate Chamber,
Austin, Texas,
Monday, June 4, 1923.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Baugh.	Pollard.
Burkett.	Rice.
Cousins.	Rogers.
Doyle.	Strong.
Fairchild.	Stuart.
Floyd.	Turner.
Holbrook.	Watts.
Lewis.	Wirtz.
McMillin.	Wood.
Murphy.	Woods.

Absent—Excused.

Bledsoe.	Davis.
Bowers.	Ridgeway.
Clark.	Thomas.
Darwin.	Witt.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

Excused.

Senator Davis for today and tomorrow, on account of important business, on motion of Senator Doyle.

Senator Thomas for today, on account of important business, on motion of Senator Strong.

Senator Bowers for today, on account of important business, on motion of Senator Rogers.

Senators Clark, Darwin, Ridgeway and Witt for today and tomorrow, on account of important business, on motion of Senator Bailey.

H. B. No. 35 on Passage to Third Reading.

The Chair laid before the Senate as pending business, on its passage to third reading, H. B. No. 35, reducing appropriation for a topographic and hydrographic survey of the stream watersheds of the State, with a motion by Senator Holbrook to adopt the minority adverse report, pending.

(Senator Wirtz in the Chair.)

Senator Rogers moved the previous question on the minority report and the main question was ordered.

Yeas and nays were demanded, and the motion to adopt the minority report was lost by the following vote: